REMARKS

Responsive to the requirement for restriction, applicants elect Group II, claims 25-37, drawn to a device, with traverse.

It is believed that the requirement cannot properly be repeated, for the following reasons:

The requirement relies on HERBERGER et al. U.S. Published Application 2004/0199174. But this reference neither discloses nor suggests the common combined inventive features of claims 1 and 25, wherein the injecting support, the lens placed flat on the injection support, and the rigid flask containing the bath of liquid solution and the lens constitute a sterilized assembly.

HERBERGER teaches a container 64 but does not clearly disclose what is enclosed in this container. In any case, this container is not itself sterilized ([paragraph 0051]). The document suggests only that the container could form a sterile projection package, which is not the claimed features, wherein the assembly, and thus also the container, is sterilized.

Furthermore, no separate search is needed for the two groups. A reference against one group could be found in the search field of the other group, and vice versa. Thus, it would be a waste of the Examiner's time, to have to cover the same

search field twice, once in the present application, and once in the divisional application to follow.

In addition, as is evidenced by the International Search and International Preliminary Examination Reports, all the claims were searched and examined during the international phase. Consequently, examination of all the claims in the present national phase application cannot reasonably be construed to impose an undue burden on the Examiner.

Therefore, an action on the merits of all the claims now in the case, is clearly in order, and the same is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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